

1 BARRY J. PORTMAN  
Federal Public Defender  
2 RITA BOSWORTH  
Assistant Federal Public Defender  
3 19th Floor Federal Building  
450 Golden Gate Avenue  
4 San Francisco, CA 94102  
Telephone: (415) 436-7700  
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Counsel for Defendant THOMAS  
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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10

11 UNITED STATES OF AMERICA,	)	No. CR-09-379 MHP
	)	
12 Plaintiff,	)	STIPULATION AND <del>[PROPOSED]</del>
	)	ORDER TO EXTEND DEFENDANT'S
13 v.	)	SELF SURRENDER DATE TO JULY 16,
	)	2010
14 KELLY THOMAS	)	
	)	
15 Defendant.	)	
	)	
16	)	

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17 1. On May 3, 2010, Ms. Thomas was sentenced to 18 months in custody. The Court  
18 ordered Ms. Thomas to surrender to her designated federal facility on July 2, 2010.

19 2. On June 8, 2010, Ms. Thomas contacted defense counsel and stated that she had  
20 not yet received any notification as to where she should report on July 2. Defense counsel told  
21 Ms. Thomas to contact her again if she had not received notification one week in advance of  
22 July 2.

23 3. On June 28, 2010, five days before the date by which she was ordered to self  
24 surrender, Ms. Thomas again contacted defense counsel and stated that she still had not received  
25 any notification as to a location for her self surrender.  
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4. On June 28, 2010, defense counsel contacted the United States Marshal Service. The marshals checked their database for Ms. Thomas and confirmed that she has not yet been designated to a federal facility. They did not know why there has been such a delay, and they did not know when to expect a designation.

5. On June 28, 2010, defense counsel left a voicemail message for the Bureau of Prisons inquiring as to why Ms. Thomas has not received a designation yet and when that might occur. As of the time of this filing, there has been no response.

6. In light of the Bureau of Prisons' delay in designating a facility where Ms. Thomas will serve her sentence and its inability to predict when it might be able to do so, Ms. Thomas requests that the Court extend her self surrender date by two weeks to July 16. Since the time she was sentenced on May 3, Ms. Thomas has maintained her employment and continues to check in with the pretrial services office. She has also maintained excellent communication with undersigned counsel and has been diligent about following up with her date and location for self-surrender.

7. The government does not object to Ms. Thomas's request for an extension of the date on which to self surrender.

IT IS SO STIPULATED.

6/28/10

/s/

DATED

JEFFREY FINIGAN

Assistant United States Attorney

6/28/10

/s/

DATED

RITA BOSWORTH

Assistant Federal Public Defender

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2 IT IS SO ORDERED.  
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5 June 28, 2010  
6 DATED  
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